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Attorney for:  
MIGUEL MAGANA MARTINEZ

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MIGUEL MAGANA MARTINEZ,  
  
Defendants.

Case No. 5:23-MJ-00021 CDB

STIPULATION AND ORDER TO  
CONTINUE ARRAIGNMENT AND PLEA  
OR PRELIMINARY HEARING

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT, HONORABLE BARBARA  
MCAULIFFE AND JOSEPH BARTON, ASSISTANT UNITED STATES ATTORNEY:

**COMES NOW** Defendant, MIGUEL MAGANA MARTINEZ, through his attorney of  
record, DAVID A. TORRES, hereby requests that the Arraignment & Plea re: Indictment or  
Preliminary Hearing currently set for Friday, September 22, 2023, be continued to Monday,  
September 25, 2023.

Counsel for Mr. Magana Martinez is scheduled to attend the swearing-in of his son-in-  
law, Brandon Stallings as California State Bar President on Friday, September 22, 2023, in Los  
Angeles, California. Counsel met with Mr. Magana Martinez today, September 20, 2023, via  
Zoom, Mr. Magana Martinez has no objection to the continuance.

The parties now agree to continue the preliminary hearing until September 25, 2023. The  
parties agree that good cause exists for the extension because the extension is required to allow  
the defense reasonable time for preparation and to ensure continuity of counsel. The parties also

1 agree that the interests of justice served by granting this continuance outweigh the best interests  
2 of the public and the defendant in a speedy trial. Finally, the parties agree that the period from  
3 September 22, 2023, through September 25, 2023, should be excluded. Fed. R. Crim. P. 5.1(d);  
4 18 U.S.C. §3161(h)(7)(A) and (h)(7)(B)(iv).

5  
6 **IT IS SO STIPULATED.**

7 DATED: September 20, 2023

Respectfully Submitted,

8 /s/ *David A Torres*

9 DAVID A. TORRES

Attorney for Defendant

Miguel Magana Martinez

10  
11 DATED: September 20, 2023

12 /s/ *Joseph Barton*

13 JOSEPH BARTON

Assistant U.S. Attorney

14  
15 **ORDER**

16  
17 **IT IS SO ORDERED** that the Arraignment & Plea re: Indictment or Preliminary Hearing  
18 currently set for Friday, September 22, 2023. be continued to **Monday, September 25, 2023, at**  
19 **2:00 p.m. before Magistrate Judge Barbara A. McAuliffe.**

20 IT IS SO ORDERED.

21  
22 Dated: September 20, 2023

/s/ *Barbara A. McAuliffe*

23 UNITED STATES MAGISTRATE JUDGE  
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